

MONTANA DEPARTMENT OF AGRICULTURE
AGRICULTURAL SCIENCES DIVISION
P.O. BOX 200201
HELENA, MONTANA 59620-0201
Phone: (406) 444-3730
Fax: (406) 444-7336

Designation of Agent Form
Form Number: PC 384

Name of Applicant: _____

Address: _____

The undersigned, a nonresident of Montana, is applying for a license under Title 80, Chapter 4, Montana Code Annotated (MCA), and for the purpose of complying with the provisions of Section 80-4-406, MCA consents to the licensing laws of the State of Montana and to be sued in the courts of the State of Montana upon all causes of action arising against the undersigned in the State of Montana

AND hereby designates the Secretary of State of the State of Montana as it's lawful agent or attorney upon whom service of process may be made in such causes of action, and such service, when so made upon the Secretary of State, shall be valid service on the undersigned. The address to which the Secretary of State shall forward any such service of process made on is:

Street & number and P.O. Box if any

City, state, zip code

The signee does hereby swear that the information provided on this form is true and correct to the best of his/her knowledge and belief.

Signature of Applicant if individual or exact name if partnership,
partnership dba or individual dba

by: _____
Signature of Officer or Agent

Title of Officer or Agent

Montana Department of Agriculture
Commodity Dealer/Commodity Warehouse Program

Instructions for Designation of Agent Form

For a corporation:

You must have a certificate of Authority to transact business in Montana. You must make written request of the Secretary of States Office to provide the Department of Agriculture with a certified copy of your Certificate of Authority and application. Please enclose a check for \$5.00 with your request made out to the Secretary of State.

For a partnership or individual doing business under an assumed or fictitious name:

You must have a Certificate of Authority to transact business in Montana on file with the Secretary of State. You must file with the Depart of Agriculture the Designation of Agent form, designating the Secretary of State, State of Montana as designated agent for Service of Process. Please enclose a check of \$5.00 made out to the Secretary of State and 2 copies of the form. Both copies must have original signatures.

For a partnership or individual doing business under your actual name (i.e. John & Jane Doe, not John & Doe Land & Cattle Company):

You do not have to obtain authority from the Secretary of State, but you must fill out the Department of Agriculture agent designation form designating the Secretary of State as agent for Service of Process. Please enclose a \$5.00 check made payable to the Secretary of State and 2 copies of the form. Both copies must have original signatures.

Please send this document to the following address:

**SECRETARY OF STATE
STATE OF MONTANA
PO BOX 202801
HELENA MT 59620-2801**

The following is an excerpt of the Montana Code Annotated text in reference to designation of business agent.

Section 80-4-406, MCA. Appointment by nonresident licensee of agent to receive process

"A nonresident applying for a license under this chapter shall file a written power of attorney, designating the secretary of state as his agent upon whom service of process may be had if legal action is brought against the nonresident. A nonresident who has a duly appointed resident agent upon whom legal process may be served as provided by law is not required to designate the secretary of state as his agent for service of process. The department must be furnished a copy of the designation of the resident agent, which copy shall be certified by the secretary of state."